

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO. MJ 07-43
)	
Plaintiff,)	
)	
v.)	
)	DETENTION ORDER
CARMEN MARIA WERMUTH,)	
)	
Defendant.)	
_____)	

Offense charged: International Parental Kidnapping

Date of Detention Hearing: February 21, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant is charged by complaint with removing her child from the United States with the intent to obstruct the lawful parental rights of the child's father.

01 2. The AUSA proffers that defendant's parents may have provided material assistance
02 to the defendant in the alleged offense. The child is currently residing with the father.

03 3. An appropriate residential placement has not yet been identified. The matter will
04 be set to come on back before this court on March 2, 2007 to re-examine the possibility of a viable
05 release plan that would address the risk of nonappearance and concerns about the removal of the
06 child from the jurisdiction of this court.

07 4. The defendant poses a risk of nonappearance due to a history of failing to appear,
08 active arrest warrants, recent international travel, and lack of a viable release option. She poses
09 a risk of danger due to the nature of the instant offense.

10 5. There does not appear to be any condition or combination of conditions that will
11 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
12 to other persons or the community.

13 It is therefore ORDERED:

14 (1) Defendant shall be detained pending trial and committed to the custody of the
15 Attorney General for confinement in a correction facility separate, to the extent
16 practicable, from persons awaiting or serving sentences or being held in custody
17 pending appeal;

18 (2) Defendant shall be afforded reasonable opportunity for private consultation with
19 counsel;

20 (3) On order of a court of the United States or on request of an attorney for the
21 Government, the person in charge of the corrections facility in which defendant is
22 confined shall deliver the defendant to a United States Marshal for the purpose of

01 an appearance in connection with a court proceeding; and

- 02 (4) The clerk shall direct copies of this Order to counsel for the United States, to
03 counsel for the defendant, to the United States Marshal, and to the United States
04 Pretrial Services Officer.

05 DATED this 21st day of February, 2007.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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